

CENTRAL FAX CENTER

SEP 06 2005

PTO/SB/21 (09-04)

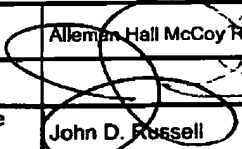
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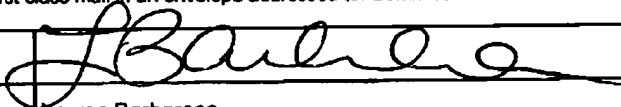
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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/822,111	
	Filing Date	April 9, 2004	
	First Named Inventor	David K. Bidner	
	Art Unit	3748	
	Examiner Name	Tu Minh Nguyen	
Total Number of Pages in This Submission	3	Attorney Docket Number	81100062

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm Name	Allen, Hall McCoy Russell & Tuttle LLP	
Signature		
Printed name	John D. Russell	
Date	September 6, 2005	Reg. No. 47,048

CERTIFICATE OF TRANSMISSION/MAILING	
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Typed or printed name	Lauren Barberena
Date	September 6, 2005

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

September 6, 2005

DAVID K. BIDNER and GOPICHANDRA SURNILLA

Serial No. : 10/822,111

Group Art Unit: 3748

Filed : April 9, 2004

Examiner: Tu Minh Nguyen

For : DEGRADATION DETECTION METHOD FOR AN ENGINE  
HAVING A NOX SENSORCommissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

**RESPONSE TO OFFICE ACTION**

In response to the Office Action dated June 3, 2005, Applicants respectfully request reconsideration.

In the Office action, the Examiner maintains the same rejections as previously made. Further, the Office action includes additional arguments on page 5, labeled "Response to Arguments."

First, Applicants incorporate by reference the arguments previously presented in the response mailed May 19, 2005, as they are still applicable.

Second, Applicants also disagree with the Examiner's assertions on page 5. Although many words are cited from the reference, the Office action fails to cite any disclosure of adjusting a fuel injection amount into the internal combustion engine based on an output from the downstream air-fuel ratio sensor of Suzuki et al. In fact, the Office action seems to admit that this feature is missing by stating that it is "obvious" that Suzuki et al. has the feature.

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Specifically, the Office action states on page 6 that:

It is also obvious to one with ordinary skill in the art that Suzuki et al. also utilize this theoretical air-fuel ratio maintaining duration to terminate the rich engine air-fuel ratio since the end of this theoretical air-fuel ratio maintaining duration signals a rich break through of the catalyst and that the catalyst is completely purged of stored NOx.

As such, the rejection should be withdrawn.

Based on the foregoing comments, the above-identified application is believed to be in condition for allowance, and such allowance is courteously solicited. If any further amendment is necessary to advance prosecution and place this case in allowable condition, the Examiner is courteously requested to contact the undersigned by fax or telephone at the number listed below.

Please charge any cost incurred in the filing of this Amendment, along with any other costs, to Deposit Account No. 06-1510. If there are insufficient funds in this account, please charge the fees to Deposit Account No. 06-1505. A duplicate copy of this sheet is enclosed.

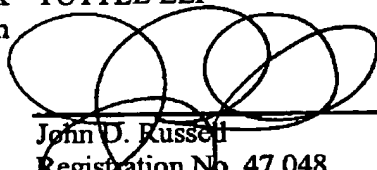
CERTIFICATE OF FACSIMILE

Respectfully submitted,

I hereby certify that this correspondence is being sent to the U.S. Patent and Trademark Office via facsimile to (703) 872-9306 on September 6, 2005.

ALLEMAN HALL MCCOY RUSSELL & TUTTLE LLP

  
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